Enclosure 2

Statement of Basis
Amendment 8 to the 40 C.F.R. §§ 761.61(c) and 761.62(c) Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, Phase IIb
3100 Airport Way South, Seattle, Washington
EPA ID No. WAD 05123 9994

Background:

The original RBDA (Reference 1) establishes the baseline removal, disposal, control and monitoring activities that Rainier is required to carry out. Seven amendments (References 7-12) have thus far been issued which supplement the requirements in the RBDA through additional conditions. Amendment 1 laid out the conditions specific to Phase I of the abatement. Amendment 2 modified Amendment 1 and expired July 7, 2014. Amendment 3 modified Amendment 1 specific to terms of air monitoring conditions. Amendment 4 approved removal of paint from the south side of Building 15. Amendment 5 captured technical changes to the particulate monitoring plan that the EPA and Rainier informally agreed to during remediation activities, but due to timing constraints was not formally issued by the EPA until it was added to Amendment 7. Amendment 6 modified Condition 8 of the RBDA to remove sandstone from further substrate sampling requirements. Amendment 7 approved the completion of Phase IIa and removed concrete substrate from further sampling requirements. The EPA also issued a letter acknowledging completion of Phase I (Reference 13).

Abatement Plan:

Rainier will remove paint from exterior surfaces through pressure blasting using a copper slag sand mixture in a fully contained enclosure with secondary containment. Blasting will be followed by hand grinding and scraping where blasting does not completely remove the paint. A dust collector such as the Cyclone 12 DC or equivalent will collect the dust generated by sandblasting. The dust collector will be equipped with a purge system that back blows the filters with a blast of compressed air. The dust then settles into a hopper which will be vacuumed with a sand retriever and disposed of as PCB bulk product waste.

Sandblasting is not appropriate for all features of Phase IIb. The Catwalk is constructed of metal and will be removed, disposed, and replaced by new materials. The Catwalk will first be enclosed in a sealed containment structure; the exterior siding, gutters, and downspouts will then be mechanically removed utilizing non-dust generating hand tools and cut down to smaller sizes compatible with the hazardous waste disposal containers. All removed materials and containment poly sheeting will be loaded into containers in accordance with the DOT Hazardous Materials Regulations at 49 C.F.R**. §§** 171 through 180, labeled as PCB waste, characterized per the waste handler requirements, and properly disposed of as PCB bulk product waste.

Other small areas of painted metal will remain in place and be treated with a chemical stripper. These include window frames on Building 10, a man-door on the catwalk, parapet cap and/or base wall flashings, and a railing on the rooftop. Piranha 4 is the gel solvent selected by Rainier to abate these areas. Although chemical stripping does not require negative air containment, any chemical stripping of

window frames will be conducted inside the containment, under negative air pressure. All resultant waste materials will then be wrapped together and stored in containers based on the original PCB concentration in the adhered paint, or in lieu of further testing, based on an assumed concentration of 50 ppm or greater. Materials shall be disposed of as PCB waste in accordance with 40 C.F.R. § 761.62.

The RBDA did not originally approve the use of copper slag or chemical strippers. However, the RBDA does allow the use of different removal media subject to the EPA approval. Rainier requested to use Copper Slag, Green Diamond Sand and Piranha 4 Solvent Gel in Phase I and Phase IIa. The EPA granted Rainier approval to use these products in Phase I and Phase IIa, and herein approves their use for paint removal at the Rainier Commons facility for Phase IIb. Condition 4 of the original RBDA is amended to allow use of these materials for Phase IIb. If Rainier determines that a remediation method other than those listed above is necessary, or if different blast media or chemical strippers are required, Rainier will seek the EPA approval prior to implementing a change.

Condition 3 of Amendment 8 requires all personnel conducting blasting to be HAZWOPER certified and to don full body disposable suits with hoods and booties, full face supplied air pressure demand respirators, hard hats, safety vests, cut resistant gloves, eye protection, protective footwear, and hearing protection. There will be first aid and CPR trained employee on site as well.

Several areas of the Phase IIb work require specific means of protection. The roof mounted HVAC equipment for Building 7, South Elevation, consists of six heat exchange units (air conditioners) and four air ducts located on the roof of Building 18, and one furnace concentric vent located on the 5th floor of Building 25. Three heat exchange units for Building 8, East Elevation are located on the lower roof of Building 8. Reference 2 details additional protective measures for these areas and a checklist is provided in Reference 4, Supplement 5, Exhibit 19, Attachment 3.

Rainier has previously provided an inventory of all inlets to the sewer systems in accordance with Condition 6 of the RBDA. More recent evaluations of the storm sewer system, and changes brought about by new construction to the south are reflected in the final inventory diagram provided in Reference 4, Supplement 5, Exhibit 5c. Roof drains will be protected with filter fabric over the roof inlets and outlets on roof drains near blasting activity. Storm and sanitary inlets will be protected in accordance with the plan in Reference 2, Exhibit 10, and the amended Condition 6 of the RBDA as well as Conditions 5,6, and 16 of Amendment 8. This includes placement and management of sealant or filters at the sewer inlets, weekly vacuum truck cleaning of the parking surfaces, monitoring the area for paint chip debris and hand vacuuming and hand collecting paint chips, and testing storm water run-off and sediment at catch basins.

Scaffolding will be erected in stages to minimize disruptions to tenants. Scaffolding will be erected in accordance with the plans in Exhibit 6 of Reference 4. Scaffolding will be shrink-wrapped in poly sheeting, include protective measures for windows, doors and other penetrations, secondary containment and be maintained under negative pressure in accordance with Condition 8 of Amendment 8.

The enclosure around the scaffolding will be maintained under negative pressure using Negative Air Machines (NAMs) during non-blasting periods, or by vacuum dust collection systems during blasting

operations. Pressure will be monitored with a manometer. Requirements for maintaining and monitoring negative pressure are included in Amendment 8, Conditions 9 and 10.

The interior space opposite any blasting activity will be protected from any potential release of PCBs through primary and secondary containment, disabling any vents, and tenants and pets vacating the space during blasting, as detailed in Reference 2, Reference 3, and Reference 4, Supplement 5, Exhibit 19, Attachments 2 and 3 and in accordance with Conditions 11, 12, and 22 of Amendment 8. These controls were implemented in Phase IIa and demonstrated to be effective. Note- wherever it is mentioned that entry is either restricted or granted to tenants, the same also applies to pets. Verification that the controls continue to perform as expected shall be demonstrated during Phase IIb through daily inspections and sample collection as required following the detailed flow chart and checklists in Reference 4, Supplement 5, Exhibit 19, Attachments 1, 2, and 5 and Amendment 8, Conditions 13-15.

Interior containment consists of fully enclosing the wall opposite the NPE. All through penetrations will be plugged or protected and the wall draped in poly sheeting. Secondary containment will be used as a protection from any unforeseen breach during the blasting process. Secondary containment will be constructed by hanging a single layer poly sheeting 2-3 feet away from the primary containment barrier. Details are provided in Reference 3 and Reference 4 and Amendment 8, Condition 11. Elevator shafts will be protected as required in Condition 12 of Amendment 8. Rainier will place residential air purifiers in the units once interior containment is constructed until it is removed. Access inside of the secondary containment area is restricted to monitoring personnel and Contractor personnel conducting containment integrity inspections. Access to the remainder of the room outside of the contained area is limited to the same personnel until tenant entry is granted at the end of the day or after a spill is properly cleaned up. Access points will remain closed and locked, with warning signs posted.

At the beginning of every day, Rainier shall inspect the interior units to ensure the containment is intact, and all other controls are still in place, prior to blasting beginning for the day. When blasting is complete for the day Rainier shall inspect interior barriers and containment to ensure no visual evidence of a breach is detected. These requirements are provided in Amendment 8, Condition 13.

To verify that containment is effective visual inspection will be supplemented with interior dust monitoring through the collection of wipe samples. Sampling and analysis for PCBs in accordance with Condition 14 of Amendment 8 will ensure no unreasonable risk of injury to health or the environment to tenants from blasting activity. Interior sample locations and detailed wipe sampling plan are provided in Reference 4, Supplement 5 Exhibit 3 and Exhibit 15.

Two types of samples, one for PCBs, and one for metals, will be collected. Sample collection for PCBs will be done pre- and post-abatement. Sample collection for metals will be done post abatement and will only be analyzed if PCBs are detected in settled dust > $10ug/100cm^2$. Metal results will be compared to the known metal profile of the blasting media to evaluate if PCBs were introduced by blasting activity vs. tracked in. Previous sampling of the blasting media during identified the following metals: chromium, copper, nickel, zinc and lead. Residential, Commercial, and elevator sampling protocols are detailed in Amendment 8, Condition 14.

If the end of day inspection of the interior containment structures or area within the primary or secondary containment for either residential or commercial spaces provides visual evidence of a dust breach Rainier shall mitigate the cause, report to the EPA, sample and cleanup in accordance with Amendment 8, Condition 15.

The only interior spaces where interior containment will not be constructed are the elevator shafts and Building 8 elevator control room "doghouse" [1]. Erecting interior containment is not practical in these spaces. Blasting on walls outside of the building is not anticipated to cause dust to enter into the elevator shaft. Additionally, access to the elevator shaft is limited – people access the elevator car, not the open shaft. In an e-mail from Doug Lansing to Michelle Mullin on 3-18-2020 (Reference 6) Doug explained that the freight elevators in Buildings 8 and 9 have unenclosed (open) cabs and are not equipped with pressurized shafts. Rainier plans to restrict access to these elevators during blasting, as required by Condition 12 of Amendment 8. Access to the doghouse is restricted to monitoring personnel. Pre-blasting inspection and post-blasting clearance of these elevators for tenant use will follow the same inspection protocol as all other affected spaces. Dust monitoring through the collection of wipe samples in this room will verify that existing controls are effective to prevent unreasonable risk of injury to health or the environment. Sampling requirements are provided in Amendment 8, Condition 14.

Reference 2, Exhibits 4 and 13 are not applicable and were eliminated from the Phase IIb IPWP in Reference 4. These Exhibits detailed how and where particulate monitoring would occur. Due to the large grain size of the blasting media, the EPA believed that entrainment of blasting media and PCB waste in the air was likely to be minimal, and therefore the risk of exposure to PCBs from blasting work was most likely dermal contact or dust ingestion, rather than inhalation. During Phase IIa this theory was tested on an unoccupied space by implementing a detailed particulate and air monitoring plan with very conservative action levels supplemented by wipe sampling, see Phase IIa RBDA (Reference 10). Results of the air monitoring (total dust as well as PCB concentrations) indicated no risk of injury to health or the environment from airborne PCBs. Therefore, in Phase IIb, the EPA is approving the elimination of particulate and air monitoring, while requiring interior primary and secondary containment, restricted access and wipe sampling as described above as appropriate controls and monitoring for potential PCB releases from blasting activity. These changes are reflected in the amendment to Condition 6 of the RBDA.

Sewer catch basins and manholes will be sampled and monitored in accordance with the plan detailed in Reference 4, Supplement 5, Exhibit 5, Condition 16 of Amendment 8 and amended Condition 6 of the RBDA. When the RBDA and Phase I and II Workplans were originally written the abatement, strategy was a series of starts and stops between Phases of work. Accordingly, the approved sampling plan required catch basins near the Phase of abatement to be sampled prior to, during and after blasting activity. This sampling scheme is not appropriate during the remainder of abatement activities as a continuous flow of activities is anticipated. At any given time, concurrent setups will be in any one of four stages: Mobilization, Abatement, Verification, and Demobilization. Since the setups will be located at several different locations throughout the campus it is imperative that the catch basin monitoring plan address the effectiveness of protective measures at the campus-wide level, rather than at localized sampling locations.

[1] Although references 2-4 state that the elevator shaft on Building 8 will be abated, Doug Lansing clarified in Reference 5 that only the control room on top of the Building 8 elevator shaft will be abated during Phase IIb.

Rainier has identified five on-site zones and their points of entry to the sewer systems. For each of these five zones a sampling location has been identified, representing the system access point closest to the discharge into the public systems (Reference 4, Supplement 5, Exhibit 5). Each of the five zones will be tested for the presence of PCBs on a monthly basis. Samples will also be collected for metals (chromium, copper, nickel, zinc and lead). Metal samples will be held by the laboratory and analyzed only if PCB concentrations in the samples are identified above the action levels in Condition 6 of the RBDA. The metals data is useful to see if there is a correlation to the blasting media which may indicate a breach of the NPE, as opposed to an unrelated source of metals such as the adjacent Interstate 5.

Both aqueous and sediment samples will be collected as available. Rainier will make best efforts to time the collection of aqueous samples during or immediately following rain events. If no significant rain events occur during the sampling period, samples will be collected during the next rain event, without waiting for the next monthly round. Monthly sampling will begin during initial Mobilization activities for the first setup and will continue for 12 consecutive months following the last demobilization of the final setup. These requirements are provided in Amendment 8, Condition 16, and all catch basin monitoring conditions from the 2013 RBDA are amended to reflect these changes.

The plan states that the action level for PCBs in aqueous samples is 0.1 ug/L per Aroclor, and 1 mg/kg per Aroclor PCBs in sediment, with corresponding reporting limits. The action level for aqueous samples is based on the King County discharge authorization granted to Rainier. For sediments, the EPA requires that the action level is calculated for total PCBs rather than PCBs per Aroclor, as clarified in Condition 6 of the RBDA which was amended to reflect this requirement during Phase IIa. These action levels are used only in monitoring the performance of the NPE and other controls on active blasting. As stated in Condition 6 of the RBDA, the detection of PCBs >0.1 Micrograms/Liter in aqueous samples, or >1 ppm total PCBs during active removal shall trigger an evaluation of the containment structure and interim measures by both Rainier and the EPA at the project management level to devise and implement appropriate improvements where applicable.

Personnel and Material Decontamination shall take place in a dirty room work area space, shower & clean room space, and a clean room work area space as described in Reference 4, Supplement 5, Exhibit 6 and required by Amendment 8, Condition 17. No water shall be discharged out of the work area to the sanitary sewer or storm drain systems but shall be collected in drums for additional testing and proper off-site disposal or use as required by Amendment 8, Condition 17. A detailed checklist for scaffolding erection, NPE construction, NAM installation and the decontamination unit is provided in Reference 4, Supplement 5, Exhibit 19, Attachment 5.

Reference 4, Supplement 5, Exhibit 6 describes removing blasting debris daily by hand loading from the dust collector into plastic bags prior to placing in drums or “Super-sacks” for disposal. The waste storage area will contain secondary containment barrier surrounding the designated area. Waste will be managed according to the requirements of 40 C.F.R. § 761.65(b) and Condition 18 of Amendment 8.

The process flow for waste is to be transported via forklift to the loading dock located at the west entrance to building 9-100. From there the containers will be moved with a pallet jack through the Building 9 lobby onto the freight elevator. The freight elevator will move the waste to building 6-400. If

any material is released from the containers during transportation to the storage facility, it shall be cleaned up in accordance with the PCB Spill Cleanup Policy in 40 C.F.R. § 761.125(b)(1), and 761.130. The storage facility will be inspected weekly by a HAZWOPER-trained person. When the waste is ready for off-site disposal it will reverse through this process flow back to the loading dock. PCB wastes will be transported offsite for disposal by Chemical Waste Management of the Northwest at their hazardous waste landfill in Arlington, Oregon.

After paint is removed, Rainier shall conduct visual inspection of 100 percent of the surface from which paint was removed and conduct detailed visual verification analysis of 2 percent of the substrate, in accordance with Condition 7 of the RBDA. Although Reference 2 states that "The goal will be complete removal of the paint, with the understanding that the infrequent, small fleck of paint remaining post-abatement is functionally unavoidable as a practical matter." The EPA requires complete removal of all PCB contaminated paint. Ongoing use of paint contaminated with PCBs is unauthorized. Therefore, all paint contaminated with PCBs is required to be removed and disposed. Rainier's plans for carrying out this condition are detailed in Reference 2, Exhibits 11 and 12.

Once visual inspection confirms that all paint has been removed through blasting and/or hand grinding and scraping with hand tools, the building surfaces will be brushed down and HEPA vacuumed. Post abatement substrate sampling for any porous substrate not already eliminated from further sampling requirements is required. The EPA previously approved removing brick, mortar, concrete and sandstone from further substrate sampling (References 1, 11, 12). Any and all other porous substrate types encountered shall be sampled according to Condition 7 of the RBDA. At this time Rainier has not identified any other substrates in Phase IIb. If substrates other than those eliminated from sampling requirements are identified after paint is removed, Rainier must submit a plan to sample those in accordance with Condition 20 of the RBDA.

Scaffolding shall be de-mobilized in a manner that will not cause release of PCB contaminated dust or PCB contaminated paint from the NPE, as detailed in Reference 3 and Reference 4, Supplement 5, Exhibit 6. Prior to dismantling, a protection and containment area will be established at each designated staging area. All elements of scaffolding system will be lowered to the protection and containment area for a final wipe down and/or inspection prior to loading onto trucks. Amendment 8, Condition 19 incorporates all requirements for scaffolding breakdown.

Interior containment will only be removed once the NPE is dismantled. Rainier shall follow the protocol in Reference 4, Supplement 5, Exhibit 19, Attachment 2. Specifically, primary containment will be removed first, and inspected for visual indication of a breach. If there is a visual indication of a breach the wall shall be cleaned in accordance with the Spill Cleanup Policy at 40 C.F.R. § 761.125(b)(1), and 761.130, followed by removal of the secondary containment. If not, the secondary interior containment barrier shall be removed. The interior wall, floor and ceiling within the interior containment area shall be cleaned and then sampled in accordance with Amendment 8, Condition 20.

The workplan includes wipe sampling the dust collector to ensure it is properly decontaminated before leaving the jobsite. 40 C.F.R. § 761.79(c)(2) allows decontamination of movable equipment, tools, etc via self-implementing procedures. All equipment used on-site that has come in contact with PCBs and is planned to be re-used off-site must be properly decontaminated, see Amendment 8, Condition 10 and

amended Condition 5 of the RBDA. Rainier may elect to utilize the self-implementing procedures in 40 C.F.R. § 761.79(c) rather than collecting wipe samples.

Rainier has developed a series of Checklists in Reference 4, Supplement 5, Exhibit 19. These checklists provide guidance for interior protections, critical engineering and management controls implemented for each individual scaffolding set up and breakdown, abatement procedures, daily field notes, photographs, etc. Rainier intends to collect these checklists, photographs and daily field notes into weekly files and make them available electronically upon the completion of each setup. Amendment 8, Condition 21 requires the collection of this information as well as specific details to be included in the daily field notes. Condition 21 also establishes a weekly reporting requirement to EPA on project status.

Rainier will provide notice to tenants 30 days prior to Mobilization. Rainier will provide weekly updates, via email, to each tenant occupying interior space opposite of the abatement work. Rainier will communicate more frequently, as needed, with any tenant. Rainier will have access to each of the tenant spaces daily and in case of emergency. Rainier will reiterate the need for and right to this access at least one week in advance of the work commencing. No tenant shall be inside a space which is being blasted outside. Tenants shall have access to the interior space outside of the interior containment in accordance with Reference 4, Supplement 5, Exhibit 19, Attachment 1 and Amendment 8, Condition 11.

Rainier has also submitted a workplan for Phase III abatement, which is under review by the EPA. Phase III comprises the remainder of the campus. Rainier intends to conduct Phase IIb and Phase III abatement concurrently. Therefore, Condition 4 of the RBDA is amended to remove the requirement that Rainier initiate work on the exterior paint removal project within thirty (30) calendar days following receipt of the IPWP approval.

Crosswalk of Conditions Amended in the 2013 RBDA:

A description of each Condition in the original RBDA that is modified in the re-issued RBDA of Amendment 8 is given below. The original wording of the condition is provided with newly added text displayed in bold, and removed text displayed with strike-out. A clean version of the amended Conditions are provided in the re-issued RBDA, Enclosure 3.

Condition 4 of the RBDA is amended for the Phase IIb approval to allow the use of alternative paint removal materials and to remove the requirement to begin abatement within thirty days of IPWP approval:

> Rainier is authorized to remove applied dried paint (PCB bulk product waste) from all building~~, silo and chimney~~ exterior surfaces **listed in Condition 1 of the Individual Phase Approval** by means of any of the listed Accepted Abatement Methods in Section 3 of the Work Plan**, Copper Slag, Green Diamond Sand, and Piranha 4 Solvent Gel**. Rainier is authorized to conduct post-blasting cleanup and removal of containment structures, as documented in the Work Plan. Rainier will prepare written and photographic field notes, including all blasting operating parameters, containment area operating parameters **and daily inspection results**, visual inspection of the exterior surface, visual inspection of the catch-basins, filter fabric and any wet-vac activity. ~~Rainier shall initiate work on the exterior paint removal project, as authorized by approval of the IPWP, within thirty (30) calendar days following receipt of the IPWP approval.~~

Condition 5 of the RBDA is amended to clarify handling of various waste streams and require decontamination of moveable equipment:

> **Abatement work is expected to generate three separate waste streams: 1) paint/blasting media constituting PCB bulk product waste; 2) containment structure materials, personal protective equipment, non-liquid cleaning materials, and other non-PCB bulk product waste; 3) Aqueous liquid wastes. Rainier shall segregate each waste stream for waste profile characterization which includes analysis for PCBs, and any analysis required by RCRA or the Washington state dangerous waste regulations, including but not limited to chromium, copper, nickel, zinc and lead in accordance with Condition 19 of the RBDA. Only after characterization is complete may the waste streams be co-mingled, if allowed pursuant to federal and state regulations.** Rainier shall dispose of the paint/blasting media as PCB bulk product waste **based on the original as-found concentration** and maintain disposal records pursuant to the applicable requirements of 40 C.F.R. § 761.62(a) or (b), and shall also dispose of containment structure materials, personal protective equipment, and all non-liquid cleaning materials in a manner consistent with 40 C.F.R. § 761.61(a)(5)(v). All liquid wastes generated during paint abatement, including but not limited to decontamination activities and dust control must be contained by the containment system, and not allowed to enter storm drains. Liquid wastes shall be disposed of in accordance with 40 C.F.R. § 761.61(a)(5)(iv). **Waste streams cannot be co-mingled to avoid a disposal provision. All movable equipment, tools, sampling equipment, etc. in contact with PCBs that will be re-used off-site shall be decontaminated in accordance with 40 C.F.R. § 761.79(c)(2).** The storage of all waste on site shall comply with the storage regulations at 40 C.F.R. § 761.65(b) or 761.65(c).

Condition 6 of the RBDA is amended to include a requirement that tenants not be inside the building during blasting, to remove references to air sampling, and to update the catch basin monitoring requirements:

> Throughout the exterior paint removal project, Rainier shall ensure that the interim measures to protect the storm and combined sanitary sewer systems, described both in the Work Plan and as conditions of this approval**, as well as measures to protect interior spaces as detailed in the IPWPs**, are working effectively. Interim measures that Rainier is responsible for include: conducting the paint removal activities in a containment structure that maintains constant negative pressure; maintaining barriers over any windows or openings to the buildings and inlets to sewer systems adjacent to work areas; **ensuring that tenants and pets do not have access to any interior space opposite the NPE during blasting hours**; providing secondary containment around the main containment structure; daily visual inspections of the containment and barrier devices, as well as catch basins and facility property; removal of any visible paint chips from catch basins or facility property; filter fabric installed in on-site catch basins; ~~daily air samples;~~ aqueous and sediment sampling of catch basins and storm and sanitary sewer systems; and any other interim measure described in this approval. To ensure that the interim measures are effective, Rainier shall complete an inventory of all inlets and pathways to the storm and sanitary sewer systems on their site to include in the first IPWP. This shall include roof drains, manholes, catch basins and any other inlet or pathway to the storm and combined sanitary sewer systems. Rainier shall provide detailed plans for ensuring that the inlets adjacent to the building and/or work area are completely protected from any possible infiltration of blast media or PCB bulk product waste during removal activities. Further, Rainier shall submit both aqueous and catch-basin sediment performance monitoring and sampling

plans for both the storm sewers and combined sanitary sewers located across the entire site to assess PCB releases prior to removal activities, during removal activities, and post-removal as part of the IPWPs. The sampling plans must identify proposed sampling locations, sampling schedule, media sample volume requirements, analytical method detection limits, contingency plan, and procedures for reporting results to applicable regulatory agency. Prior to removal activities, the EPA requires Rainier to sample catch-basin sediments from all catch-basins with an adequate amount of sampling material prior to removal activities, and to co-locate aqueous samples as conditions permit. The EPA further requires aqueous and catch-basin sediment monitoring and sampling to continue for a minimum of twelve (12) months after removal activities conclude. The detection of PCBs **per Aroclor** > 0.1 Micrograms/Liter in aqueous samples, or >1 ppm **total PCBs** in catch basin sediments during active removal shall trigger an evaluation of the containment structure and interim measures by both Rainier and the EPA at the project management level to devise and implement appropriate improvements where applicable. The sampling plan shall include QA/QC details necessary to ensure that the resulting data are of acceptable quality, including sensitivity, to be acceptable for comparison to these decision criteria. Furthermore, if PCBs are detected in aqueous or catch basin sediments in the twelve (12) months following paint removal the EPA may require that Rainier submit an investigation plan to the EPA to determine the source of PCBs.

Condition 10 of the RBDA is amended to reflect that secondary containment is required for the NPE and interior containment:

> Rainier shall construct and maintain the containment structure proposed in its Work Plan in a manner that adequately encloses the paint removal area during each phase of work. Rainier shall further provide secondary containment **inside the building undergoing abatement and** around **the exterior of** the containment structure. The purpose of the containment structure and secondary containment is to prevent any releases of PCB contaminated paint or blasting media to the air or to areas outside the containment area including the parking lot, site soils, ~~or~~ storm sewers**, or interior spaces**. Rainier shall implement the daily housekeeping activities proposed in its application. Any releases of PCBs outside of the containment area shall be addressed under the PCB Spill Cleanup Policy at 40 C.F.R. §§ 761.120 to 761.135.

Condition 16 of the RBDA is amended to require notification to lessees:

> At least thirty (30) working days prior to the effective date of any sale or transfer of ownership **or lease**, in whole or part, of real property subject to requirements of this approval, Rainier shall provide a copy of this approval to all prospective owners **or lessees**. Rainier shall establish, as an enforceable condition of such sale or transfer, that each new owner must provide the EPA a written request to modify this approval to establish each owner as being responsible for compliance with the requirements of this approval.

Condition 20 is amended to require Rainier to report any new site information to the EPA, not just information that indicates a risk of injury:

> If any time before, during or after conduct of activities subject to this approval, Rainier possesses or is otherwise made aware of any data or information ~~(including but not limited to site conditions that differ from those presented in the application for this risk-based disposal~~

~~approval)~~ indicating that activities approved herein may pose an unreasonable risk of injury to health or the environment, Rainier shall immediately cease all such activities and report such data or information via e-mail to the EPA project manager within 48 hours, and in writing to the Regional Administrator within ten (10) calendar days of first possessing or becoming aware of such data or information. Such activities shall not resume until the EPA provides written notification that the activities in question no longer pose an unreasonable risk of injury to health or the environment. **If any time before, during or after conducting activities subject to this approval, Rainier possesses or is otherwise made aware of any data or information indicating site conditions differ from those presented in the application for this risk-based disposal approval, Rainier shall report such information via e-mail to the EPA project manager within 48 hours of first possessing or becoming aware of such data or information.** At his or her sole discretion, the EPA project manager may waive the written reporting requirement for those issues that are determined to be minor, or can be timely resolved without modification of this approval.